

United States ex rel. Schaller et al. v. Prime Diagnostic Imaging Corp. et al., 12-CV-5579 (JFB)  
Partial Unsealing Order

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ NOV 15 2017 ★

LONG ISLAND OFFICE

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UNITED STATES OF AMERICA, *ex rel.* VICTOR E.  
SCHALLER, JR. AND JOSEPH FAIELLA-  
TOMMASINO, PA, PH.D, NEW JERSEY *ex rel.* VICTOR  
E. SCHALLER, JR. AND JOSEPH FAIELLA-  
TOMMASINO, PA, PH.D, NEW YORK, *ex rel.* VICTOR  
E. SCHALLER, JR. AND JOSEPH FAIELLA-  
TOMMASINO, PA, PH.D, NEW YORK CITY *ex rel.*  
VICTOR E. SCHALLER, JR. AND JOSEPH FAIELLA-  
TOMMASINO, PA, PH.D, and VICTOR E. SCHALLER,  
JR. AND JOSEPH FAIELLA-TOMMASINO, PA, PH.D,  
individually,

Plaintiffs,

vs.

PRIME DIAGNOSTIC IMAGING CORPORATION,  
PRIME NEUROLOGICAL IMAGING  
CORPORATION, PRIME DIAGNOSTIC SERVICES  
INC., PRECISION DIAGNOSTIC IMAGING INC.,  
PRECISION DIAGNOSTIC SERVICES INC.,  
PRECISION NEUROLOGICAL IMAGING INC.,  
NEURORAYS IMAGING P.C., NEURORAYS OF  
NEW JERSEY PC, MARK J. LODESPOTO, M.D., P.C.,  
PRIMARY DIAGNOSTIC IMAGING CORP I,  
PRIMARY NEUROLOGICAL IMAGING INC. I,  
GLOBAL IMAGING SOLUTIONS LLC, GLOBAL  
MANAGEMENT, LLC, GLOBAL NEUROLOGICAL,  
LLC, PRINCIPAL DIAGNOSTICS PROVISION  
DIAGNOSTIC IMAGING LLC, STEPHANIE M.  
MOSS, MICHAEL V. MOSS, PETER W. HENAGHAN,  
MARK J. LODESPOTO, MD, NEAL M. LISAN MD,  
DAVE SANDOVAL, STEPHEN SISSELMAN, D.O.,  
MICHAEL BENHURI, M.D., LUCKY CARE  
MEDICAL, PC, MADISON AVENUE OBGYN,  
HASSAN HITO, M.D., SUFFOLK FIRST MEDICAL  
PC, B&R REALTY, JAY STAMBLER, M.D.,  
LAWRENCE NORTHERN, M.D., MICHAEL  
LADINSKY, M.D., STANLEY E. BLYSKAL, M.D.,  
ROBERT F. RUGGIERO, M.D., BASHIR AHMED,  
M.D., NORTH BABYLON PRACTICE  
:MANAGEMENT, E&M PROFESSIONAL SERVICES,  
INC., DR. JEFFREY NAKHJAVAN, BARBARA  
MANDELL, M.D., LLC, PERSUAD MEDICAL, DR.

~~FILED UNDER SEAL~~

PARTIAL UNSEALING  
ORDER

Civil Action No.  
12-CV-5579

(Bianco, J)

*United States ex rel. Schaller et al. v. Prime Diagnostic Imaging Corp. et al.*, 12-CV-5579 (JFB)  
Notice of Partial Intervention

ANNA LERNER ANGELES, M.D., PC, LUCELLE M.  
DELROSARIO, M.D., FINK FAMILY MEDICAL, PC,  
DR. ANDREW FAGELMAN, M.D., LOUIS D.  
SCHWARTZ, M.D., SOUTH SHORE MEDICAL  
CARE, PC, DR. VINCENT LEDDY, CL BILLING, VR  
LEDDY M.D., PC, RICHARD VALINOTTI, LONG  
ISLAND FAMILY MEDICAL GROUP, PC, ERIC M.  
JACKSON, M.D., CECILIA LEDDY MEDICAL  
BUILDING, P&C MANAGEMENT, PRIMARY  
MEDICAL CARE LLC, ANNA MARIE MIRSKI, M.D.,  
THOMAS STACK, D.O., HALLAL PROPERTIES,  
LLC, DR. EDWARD HALLAL, AZIZ CHAUDRY,  
M.D., MK & JJ REALTY CORP., ADJ HOLDING  
CORP., CENTRAL ISLAND INTERNAL MEDICINE  
PLLC, PAUL TCHAO, M.D., DR. PATRICK BURNS,  
DAVID NEGRON, DPM, ANTHONY J. RIZZO, D.O.,  
DR. MICHAEL BELFIORE, DR. ZEENAT HUSSAIN,  
DR. BRET OSTRAGRER, SHORE MEDICAL  
ASSOCIATES, PC, RAY RICK NICK REALTY, LLC,  
WEISSMAN & KROLL MEDICAL ASSOCIATES,  
SUFFOLK FIRST MEDICAL PC, SUKHDATA, LLC,  
MARK J. JAGUST M.D., DABFP SOUTH SHORE  
MEDICAL ASSOCIATES, PC, 291 EAST SUNRISE  
HIGHWAY ASSOCIATES, JOSEPH BALLARO M.D.,  
PC, MARK WAXMAN, M.D., NORTHPORT FAMILY  
MEDICINE, PC, ANDREW HARARAH, D.O.,  
ANTHONY RIZZO, D.O., ARVERNE CARE  
MANAGEMENT, DR. MARK ALLEN, SOUTH  
ISLAND MEDICAL, PORT JEFF MEDICAL CARE  
PC, PERRY A. FRANKEL, M.D., OLGA BELDER,  
D.O., VIKAS DESAI, D.O., AURENE ALCASABAS,  
M.D., ALAN W STUDLEY, M.D., ROBERTA A.  
BIANCO, D.O., DR. THOMAS HODYL, 55  
SOUTHERN BLVD, LLC, PRIMARY MEDICAL  
CARE OF SUFFOLK COUNTY, PC, JORGE J.  
FIGUEROA, M.D., LEONID BASOVICH, D.O., PC,  
EDUARDO YAMBO, M.D., J2N REALTY, LLC, JIM  
BEST D.O., SARITA DORSCHUG, M.D., ANDREA J.  
FRANK, M.D., JAMES REILLY, D.O., MARK TREE  
ROAD REALTY, PORT JEFFERSON MEDICAL  
ASSOCIATES, PC, MID ISLAND INTERNAL  
MEDICINE, ANDREA NOMBERG M.D., SUGANTH  
RAVIDRAN, M.D., MARTHA D. PILCHMAN, M.D.,  
900 STRAIGHT PATH REALTY, LLC, AND DR.  
JOHN J. MARK AND JUDITH L. MARK, LLP,

Defendants.

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*United States ex rel. Schaller et al. v. Prime Diagnostic Imaging Corp. et al.*, 12-CV-5579 (JFB)  
Partial Unsealing Order

WHEREAS, pursuant to the False Claims Act (the "Act"), 31 U.S.C. §§ 3730(b)(2) and (4), the United States of America has partially intervened in this action brought by Victor E. Schaller, Jr. and Joseph Faiella-Tommasino, PA, Ph.D ("Relators") with respect to allegations of violations of the Act by defendant Drs. Anna Lerner Angeles, Marc Allen and Anthony Rizzo;

WHEREAS, pursuant to the False Claims Act, 31 U.S.C. §§ 3730(b)(4), the United States declined to intervene in this action with respect to all other allegations against all other defendants contained in the complaint filed by Relators on or about November 13, 2012, (the "Complaint");

WHEREAS, the United States and Relator will submit a Joint Stipulation of Dismissal of this Civil Action pursuant to Rule 41(a)(1), which will be with prejudice as to Relators, with prejudice as to the United States in connection with the allegations of violations of the Act by defendant Drs. Anna Lerner Angeles, Marc Allen and Anthony Rizzo, and without prejudice as to the United States in connection with all other allegations against all other defendants contained in Relators' Complaint.

IT IS HEREBY ORDERED that:

1. The seal shall be lifted as to this Order, the United States' Notice of Partial Intervention, and any matter occurring in this action hereafter.
2. All other documents filed before November 15, 2017, in the Court's file in this action shall remain under seal and not be made public, except for the Relators' Complaint.

Dated: Central Islip, New York  
November 15, 2017

**SO ORDERED**

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THE HONORABLE JOSEPH F. BIANCO  
UNITED STATES DISTRICT JUDGE